

**IN THE UNITED STATES DISTRICT COURT FOR  
THE SOUTHERN DISTRICT OF WEST VIRGINIA**

**HUNTINGTON DIVISION**

WILLIAM HENRY STEPHENS, JR.,

Plaintiff,

v.

CIVIL ACTION NO. 3:17-0952

RICHARD KERN, HPD, PFC 428,  
TRAVIS HAGAN, HPD, CPL. 420,  
JOHN DOE #1 and JOHN DOE #2,

Defendants.


**MEMORANDUM OPINION AND ORDER**

This action was referred to the Honorable Omar J. Aboulhosn, United States Magistrate Judge, for submission to this Court of proposed findings of fact and recommendation for disposition, pursuant to 28 U.S.C. § 636(b)(1)(B). The Magistrate Judge has submitted findings of fact and recommended that the Court grant Defendants' Motion for Summary Judgment (ECF No. 35). Neither party has filed objections to the Magistrate Judge's findings and recommendations.

Accordingly, the Court accepts and incorporates herein the findings and recommendation of the Magistrate Judge and **GRANTS** Defendants' Motion for Summary Judgment (ECF No. 35), consistent with the findings and recommendations.

The Court **DIRECTS** the Clerk to forward copies of this written opinion and order to all counsel of record, and any unrepresented parties.

ENTER: February 13, 2019



ROBERT C. CHAMBERS  
UNITED STATES DISTRICT JUDGE